

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To: **A&P Arnason**
Intellectual Property Group

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CONFIRMATION OF FAX

WRITTEN OPINION
(PCT Rule 66)

05.12.04 ✓

Date of mailing
(day/month/year)

05.10.2004

Applicant's or agent's file reference
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REPLY DUE

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International application No.
PCT/IS 03/00024

International filing date (day/month/year)
15.08.2003

Priority date (day/month/year)
16.08.2002

International Patent Classification (IPC) or both national classification and IPC
G06F17/30

Applicant
DIMON-HUGBUNADARHUS EHF.

1. This written opinion is the **first** drawn up by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. The applicant may, before the expiration of that time limit, request this Authority to grant an extension, see Rule 66.2(d).

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also: For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6.

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 16.12.2004

Name and mailing address of the International preliminary examining authority:



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I. Basis of the opinion

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed"*):

Description, Pages

1-33 as originally filed

Claims, Numbers

1-25 as originally filed

Drawings, Sheets

1/7-7/7 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
☐ the language of publication of the international application (under Rule 48.3(b)).
☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority in written form.
☐ furnished subsequently to this Authority in computer readable form.
☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
☐ the claims, Nos.:
☐ the drawings, sheets:

5. ☐ This opinion has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

6. Additional observations, if necessary:

V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims	1,4-10,12,14,17-25
Inventive step (IS)	Claims	2,3,11,13,15,16
Industrial applicability (IA)	Claims	1-25

2. Citations and explanations**see separate sheet**

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The following document (D1) is referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: WO 00/56033 A (ORACLE CORP) 21 September 2000 (2000-09-21)

I. Objections under Article 6 PCT

The application does not meet the requirements of Article 6 PCT, because claims 1 and 17 are not clear.

1. The expression "special purpose programing language" used in claim 1 (line 26), is vague because the term has no well-defined meaning in the art of programing languages. It appears from the description (p.7. lines 30-37, "By requiring ... programs.") that it is a general purpose programming language used for managing XML processing tasks. (e.g., XSLT engine, HTML-to-XML converter, etc.) Therefore for the rest of the examination this term is interpreted as equivalent of XML-based programming language.

2. The use of the term "somehow" in claim 17 (line 37) implies that the subject-matter for which protection is sought is indefinite, resulting in lack of clarity of the claim. Therefore this term should be deleted.

II. Objections under Article 33(2) PCT

1. The present application does not meet the requirements of Article 33(2) PCT, because the subject-matter of claims 1,4-10,12,14, and 17-25 is not new.

D1 discloses :

A management system for execution of tasks involving context-independent processing (p.3 lines 19-21, "A method ... client) of structured data, the system comprising :

- means for receiving a request from an external client (p.4 lines 26-27, "In general ... thereon.")

- a context-independent engine

D1 discloses (p.4 lines 26-28, "In general ... documents.") a software module responsible for creating a XML document for managing XML processing task, which corresponds to the claimed context-independent engine. (see the description of the application p.4 lines 20 and 21, "A software ... Engine.")

- at least one adapter module for communicating between said external client and said context-independent engine, and adapting the context-independent engine to a specific application context,

The pre-processor of D1 is responsible for receiving and processing requests from the clients. (p.5 line 34, "Pre-processor ... clients.") In D1 each service request identifies the service that is requested, and may include any number of parameter values associated with the request. (p.5 lines 5-7, "Each ... request.") The pre-processor of D1 also provides in response to a service plurality of metadata (p.11 lines 9-12, "For example ... service.") inserted into the XML file according to the client device type. (p.6 lines 13-16, "According ... document." and p.6 lines 21-26, "The XML ... processor 244.") The pre-processor of D1 corresponds to the claimed adapter module. (see the application p.6 lines 8-11, "Adapters ... systems." and p.6 lines 19-21, "Through ... pairs.")

- at least one generator module connected to at least one back-end system residing on a computer network and is adapted to expose said at least one back-end system data as structured data ready for further processing,

D1 discloses an XML processor which retrieves the required information from the appropriate data source. (p.7 lines 13-15, "The illustrated ... system." and p.7 lines 26-29, "Gateway ... documents." and p.7 lines 21-24, "In response ... Web.") In D1 gateways are used to supply an XML response document to the XML processor. (p.7 lines 28 and 29, "XML ... documents.")

The combination of the XML processor and the gateways of D1 corresponds to the claimed generator module. (see the application p.8 lines 22 and 23, "The ... data.")

- at least one sink module connected to said at least one transformer for receiving said processed structured data adapted to interpreting and reacting according to the processed structured data and/or delivering the processed structured data back to said requested external client through said adapter module,

D1 discloses a post-processor responsible for receiving the responses from the XML processor and transforming it according to the format, the layout, and the document type used by the client. (p.8 line 33 - p.9 line 3, "The ... destined." and p.10 lines 15-21, "According ... documents.")

The post-processor of D1 corresponds to the sink module (see the application p.5. lines 30-33, "Sink ... the XSA.") responsible for delivering the data received from the transformer back to the client.

wherein the communication between the external client and the context-independent engine comprises means for selecting at least one generator module and at least one sink module for carrying out said processing of the structured data according to predefined set of instructions defined in an electronic document written in a special purpose programming language, designed for the management of processing any structured data.

D1 discloses the use of an XSL engine (p.8 line 34 - p.9 line 3, "According ... destined.") responsible for transforming the XML response document, based on XSL style sheets, to the format, layout and document type supported by the client. Each XSL style sheet contains instructions defined in an electronic document designed for processing XML documents. (p.10 lines 15-22, "According ... documents.")

Since D1 discloses all the technical features of claim 1 in combination, the subject matter of claim 1 lacks novelty with respect to D1.

The above argumentation applies "mutatis mutandis" to the corresponding independent claims 17 and 25.

2. The subject matter of claim 4 is not new because D1 discloses means for providing XML response document structured as an XML document and XSL style sheets for transforming the response XML document according to the format, layout and document type. (p.8 line 29 - p.9 line 3, "Consequently ...destined.")

The above argumentations also applies to claim 19 which also lacks novelty.

3. The subject matter of claim 5 is not new because D1 discloses means for supporting HTTP requests. (p.6 lines 2 and 3, "In the ... protocol B.))

The above argumentations also applies to claim 18 the subject matter of which lacks novelty.

4. The subject matter of claim 6 is not new because the gateway of D1 is able to receive and to respond to request through SMS. (p.2 lines 13-15, "SMS ... translator 112.")

The above argumentation also applies to claims 12 and 20 the subject matter of which lacks novelty.

5. The subject matter of claim 9 is not new because D1 discloses means for transforming XML documents with style sheets. (p.9 lines 1-3, "... the XSL engine ... destined.")

The above argumentation also applies to claim 23 the subject matter of which lacks novelty.

6. The subject matter of claim 10 is not new because D1 discloses means adapted to convert a content retrieved from a back-end system (e.g., database) into XML format. (p.8 lines 27 and 28, "Both ... XML")

The above argumentation also applies to claim 24 the subject matter of which also lacks novelty.

7. The additional technical features of claims 7,8,14,21 and 22 merely refer to applying different request protocols by the client device. The subject matter of these claims cannot be seen as novel and/or inventive, because it would follow from natural considerations of the skilled person since the use of these particular protocols is already known in the art and it does not show unexpected, unforeseen technical effect.

III. Objections under Article 33(3) PCT

1. The present application does not meet the requirements of Article 33(3) PCT, because the subject-matter of claims 2,3,11,13,15, and 16 does not involve an inventive step.

2. Dependent claims 2,3,11,13,15, and 16 do not appear to contain any additional features which in combination with the features of any claim to which they refer, meet the requirements of the PCT with respect to novelty and/or inventive step.